

## **DETAILED ACTION**

### ***Election/Restrictions***

1. This application is in condition for allowance except for the presence of claims 1-12 and 26-29 directed to inventions non-elected without traverse. Accordingly, claims 1-12 and 26-29 have been cancelled.

### ***Allowable Subject Matter***

2. Claims 13, 15-22, and 30-32 are allowed.
3. The following is an examiner's statement of reasons for allowance: the prior art does not disclose or suggest "a substrate which is insulating and which is made of any one of (i) a monocrystalline material, (ii) a polycrystalline material, and (iii) an amorphous material ... the first wurtzite crystalline layer, the functional material layer and the second wurtzite crystalline layer being stacked On or above the substrate in this order so as to have a four layer structure" in combination with the remaining claim elements of claim 13.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Arguments***

4. Applicant's arguments, see amendments/arguments, filed 28 August 2009, with respect to claims 13 and 15-22 have been fully considered and are persuasive. The 35 USC 102 rejections of claim 13 and 15-22 have been withdrawn.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Asai et al. (US 4567393) discloses a laminate comprising an insulating substrate, a first wurtzite layer, a functional material layer, and a second wurtzite material layer being stacked in that order to form a four-layer structure; however, the functional material layer (items 14 and 15) of Asai do not cover an entire surface of the first wurtzite layer (item 12).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEREK J. ROSENAU whose telephone number is (571)272-8932. The examiner can normally be reached on Monday thru Thursday 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Walter Benson can be reached on (571) 272-2227. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2837

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Derek J Rosenau/  
Examiner, Art Unit 2837

/Walter Benson/  
Supervisory Patent Examiner, Art Unit 2837